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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,587	01/27/2004	Yasuhiro Hitomi	SN-US030011	9162
22919	7590	07/06/2005	EXAMINER	
SHINJYU GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			LANGDON, EVAN H	
			ART UNIT	PAPER NUMBER

3654

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/764,587

Applicant(s)

HITOMI ET AL.

Examiner

Evan H. Langdon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 6/7/05 and 6/16/05
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-14 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-14 and 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 June 2005 has been entered.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7-8, 12-14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood (US 3,296,731) in view of Kitajima (US 2003/0146325 A1) and Hirayama et al. (US 6,409,113 B1).

In regards to claims 1 and 12, Wood discloses a spinning reel being adapted to be mounted to a fishing rod, the spinning reel comprising:

a handle 64;

a reel unit 1 rotatably supporting the handle 64 and being adapted to be mounted to the fishing rod, the reel unit including a housing unit forming a mechanism accommodation space, as seen in Figure 22, in an interior thereof,

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a drive mechanism being arranged inside the mechanism accommodation space for transmitting rotation of the handle 64 to the rotor 3, the drive mechanism having a master gear 62 non-rotatably coupled to a master gear shaft 63;

a first lid 25 made of a metal and coupled to the housing unit so as to interpose the master gear with the housing unit, the first lid rotatably supporting the master gear shaft 63;

a second lid 24 made coupled to the housing unit so as to close the mechanism accommodation space; and

a rod-attachment portion 16 being formed integrally with one of the housing unit and the first lid, the rod-attachment portion being adapted to be attached to the fishing rod;

a rotor 3 rotatably mounted on a front of the reel unit; and

a spool 2 disposed on a front of the rotor to move front and rear relative to the reel unit.

Kitajima teaches a casing 2a made of aluminum alloy and lid portion 2b made of either synthetic resin or aluminum alloy to close an accommodation space. Note paragraphs 12, 18 and 40. Synthetic resin and aluminum alloy are known to provide lightweight elements.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify first metal lid of Wood to be made of a metal such as aluminum and the second lid of Wood to be made of synthetic resin as suggested by Kitajima, to render the reel unit more lightweight.

Hirayama teaches a reel unit body 1 made of a magnesium alloy (col. 5, lines 62-63) and having a mechanism accommodation space.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the metal reel body of Wood to be made of magnesium alloy as suggested by Hirayama, to provide a metal that can provide strength and is light weight.

In regards to claims 2, 3, 13 and 14, Wood as modified by Kitajima and Hirayama teaches the first and second lids having shaft support portions to support the master gear shaft 10 (Kitajima).

In regards to claim 4, Wood as modified by Kitajima and Hirayama teaches the shaft support portion rotatably supports the master gear shaft 10 with a pair of bearings (Fig. 9 Kitajima).

In regards to claim 7 and 17, Wood as modified by Kitajima and Hirayama teach the rod attachment portion integrally formed with the housing unit (Fig. 2 Wood) and integrally formed with the first lid (Fig. 4 Kitajima).

In regards to claim 8, Kitajima teaches the rod attachment leg portion integral with the lid.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the rod-attachment portion of Wood to have the rod attachment leg portion integral with the lid as suggested by Kitajima, to simplify manufacturing and assembly.

Claims 9-11 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood as modified by Kitajima and Hirayama as applied to claims 1 and 12 above, and further in view of Yeh (US 2003/0146324 A1).

Yeh teaches the housing unit having a through hole 106;

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first 14 and second 15 lids having a projection 154 projecting toward the housing 10 and inserted in the through hole and coupled with a screw member 16;

the projection having a female threaded portion to receive the screw 16.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the couple of the first and second lid members to the housing unit of Wood as modified by Kitajima and Hirayama to include projections projecting in through holes as suggested by Yeh, to secure the lid portions to the housing unit.

### *Response to Arguments*

Applicant's arguments with respect to claims 1-4, 7-14 and 17-20 have been considered but are moot in view of the new ground(s) of rejection.

The limitation of the housing unit made of magnesium alloy and the first lid made of aluminum alloy necessitated the new grounds of rejection.

In response to the Applicant's argument that the Kitajima patent is disqualified from prior art under 35 U.S.C 103(c), this is incorrect because the Kitajima reference also qualifies as prior art under 35 U.S.C. 102(a) having been known or used by others in this country as of the filing date of Kitajima patent and before of the invention thereof by the applicant. It is acknowledged the there are inventors common to the Kitajima reference and the instant application.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948.

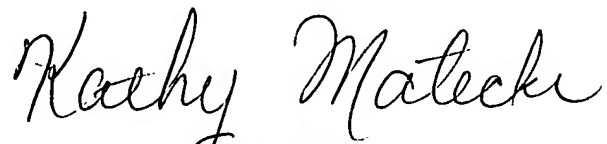
The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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